

**ZB# 76-18**

**Robert Rifflard**

**(no S-B-L given)**

#76-18 - Riffliard, Robert - fence (area variance)

Public Hearing  
9/16/76 - 8 p.m.

fee paid  
fee To T.C. 9/14/76.

Bob Riffard  
496-7295  
Bull Road -  
Washingtonville

fence -

Variance  
granted - 9/13/76  
D. Razumsky

GENERAL RECEIPT 2986

Town of New Windsor, N. Y. Sept 14, 1976  
Received of Bob Riffard \$ 10.00  
Ten and 00/100 Dollars  
For Variance Application Fee #76-18

DISTRIBUTION:

FUND	CODE	AMOUNT
10.00		
check		

BY Charlotte Mancabona  
Reputy  
TITLE

Legal Notice  
 PUBLIC NOTICE  
 OF HEARING BEFORE  
 THE ZONING  
 BOARD OF APPEALS  
 PLEASE TAKE NOTICE that the  
 Zoning Board of Appeals of the  
 TOWN OF NEW WINDSOR, New  
 York will hold a public hearing pur-  
 suant to Section 48-33A of the Zoning  
 Ordinance on the following  
 proposition:  
 Appeal No. 18  
 Request of ROBERT L.  
 RIFFLARD and TRACIE E.  
 RIFFLARD for a Variance of the  
 regulations of the Zoning Local Law  
 to permit installation of 6' high  
 stockade fence with insufficient set-  
 back being a Variance of Section 48-  
 14C for property situated on the  
 westerly side of Bull Road, bounded  
 on the north by lands now or former-  
 ly of Dean, on the west by lands of  
 Erie Lackawanna Railroad, in the  
 Town of New Windsor, New York.  
 SAID HEARING will take place on  
 the 16th day of August, 1976, at the  
 New Windsor Town Hall, 555 Union  
 Avenue, New Windsor, N.Y. beginn-  
 ing at 8 o'clock P.M.  
 THEODORE JARGSTORFF  
 Chairman  
 By PATRICIA RAZANSKY  
 Secretary  
 Aug. 7

State of New York  
 County of Orange, ss:  
 Olga Trachewsky

she , being duly sworn deposes and  
 says that she is Principal Clerk ..... of Newburgh-  
 Beacon News Co., Inc., Publisher of The Evening News,  
 a daily newspaper published and of general circulation in  
 the Counties of Orange and Dutchess, and that the notice  
 of which the annexed is a true copy was published .....  
 One Time .....  
 in said newspaper, commencing on the 7th ..... day of  
 August ..... A.D., 19 76 , and ending on  
 the ..... 7th ..... day of ..... August ..... A.D., 19 76

Subscribed and sworn to before me this  
 ..... 11th ..... day of ..... August ..... 19 76

*Olga Trachewsky*

*William Luckoff*

Notary Public of the State of New York, County of Orange.  
 MY COMMISSION EXPIRES MARCH 30, 1977

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X  
In the Matter of the Application of

ROBERT RIFFLARD and TRACY RIFFLARD

DECISION GRANTING  
AREA VARIANCE

#76-18.  
-----X

WHEREAS ROBERT RIFFLARD and TRACY RIFFLARD of Bull Road, Washingtonville, New York have applied to the Zoning Board of Appeals for an area variance to permit the installation of a 6 ft. high fence on their property at the above location; and

WHEREAS, the applicants seek a 2 ft. height variance; and

WHEREAS, notice of the public hearing was duly sent to residences and businesses as prescribed by law, and published in The Evening News, also required by law; and

WHEREAS, a public hearing was held on the 16th day of August, 1976; and

WHEREAS, ROBERT RIFFLARD and TRACY RIFFLARD appeared with their proposal at the time of the public hearing on the above date; and

WHEREAS, the applicants were represented by themselves at the public hearing and the only opposition to the application was entered by their neighbors, Raymond and Susan Dean, with whom the applicants appear to have an ongoing feud; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The proposed 2 ft. variance for a fence would not affect the general character of the neighborhood since the neighboring property and house thereon is located more than a sufficient distance away.

2. The proposed 6 ft. high fence would not be detrimental to the surrounding area since there is only one residential property located adjacent to the Riffard property.

WHEREAS, the Zoning Board of Appeals makes the following determinations of law in this matter:

1. The variance sought is not substantial in relation to the legally required height variance.
2. There will be no substantial change in the character of the neighborhood nor a substantial detriment to the adjoining properties.
3. The proposed variance would have no effect on the governmental facilities available.
4. There is no feasible method for the applicants to seek relief other than through a variance.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant an area variance as hereinabove requested.

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the applicants, the Town Planning Board and the Town Clerk.

  
THEODORE JARGSTORFF, Chairman

Dated: September 21, 1976.

MEMORANDUM TO ZONING BOARD OF APPEALS

FROM: TOWN ATTORNEY

SUBJECT: RIFFLARD APPLICATION FOR AREA VARIANCE

DATE: September 13, 1976


I was requested to prepare an opinion concerning the RIFFLARD application for a variance to construct a 6 foot fence on their property. The matter was presented to the Zoning Board of Appeals on August 16, 1976.

It is obvious from the presentation and from a previous ZBA hearing on the same two properties though not the same issue as presented at this time that there is substantial bitterness between the two property owners. It should be noted for the record that the behavior of the two neighbors is a matter pending before the Justice Court of the Town of New Windsor.

The request for a fence variance is in the nature of an area variance. The legal test for an area variance is far less burdensome upon the applicant than the test for a use variance. The test is "practical difficulty".

If the ZBA determines that the applicants' lot is located in such a manner next to his neighbor's lot as to make privacy difficult, then in my opinion the ZBA would be well within its rights to grant a fence variance as requested.

The ZBA must resolve the factual question involved in the context of the legal guidelines.

  
PHILIP A. CROTTY, JR.  
Town Attorney



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Received:  
AUG 24 1976

Chairman  
Ellsworth E. Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

August 24, 1976

Zoning Board of Appeals  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12550

RE: 56-1-1.3 500' Variance List letter of August 5, 1976

Gentlemen:

The variance list that was compiled for Mr. Robert Rifflard of Bull Road was in error. The names of Mangold and Bossley should be removed from this list. An error was made in calculation of distance on subject property.

I am sorry for any inconvenience this may have cause you.

Very truly yours,

*Ellsworth E. Weyant*  
ELLSWORTH E. WEYANT  
Sole Assessor  
Town of New Windsor

EEW/pk



August 4, 1976

Mr. Hank Van Leeuwen, Chairman  
New Windsor Planning Board  
555 Union Avenue  
New Windsor, N. Y. 12550

RE: PUBLIC HEARINGS SCHEDULED FOR AUGUST 16, 1976

Dear Hank:

Kindly be advised that there are two public hearings scheduled before the Zoning Board of Appeals on August 16, 1976 as follows:

8 p.m. - Application for an area variance of  
ROBERT RIFFLARD (fence)

8:30 p.m. - Application of ROMA IMPERIAL II RESTAURANT  
for area variance for sign

I have attached hereto copies of the pertinent public hearing notices which were published in The Evening News and copies of the above referenced applications for your information.

Very truly yours,

PATRICIA RAZANSKY, Secretary

/pr

Enclosures

cc: Howard Collett - Town Building/Zoning Inspector

NOTES OF RIFFLARD PUBLIC HEARING - Application for Area variance for Fence  
8/16/76:

Robert and Tracy Riffard are requesting a variance to construct a 6 ft.  
fence.

The Board members requested that the Town Attorney write up an opinion  
on what the Board should do under the circumstances presented at the  
public hearing. Mr. Jargstorff requested an opinion from the TA regarding  
the reasons why the ZBA acted in such fashion and that Mr. Dean and Mr.  
Riffard should receive copies of this opinion.

NEW WINDSOR ZONING BOARD OF APPEALS  
Regular Session  
July 19, 1976

MEMBERS PRESENT: Chairman Theodore Jargstorff  
George Yorkis  
Mark Stortecky  
Mrs. Louise Budney

MEMBERS ABSENT: Micky Fischer - excused  
Dan McCarville - excused  
Vincent Bivona

ALSO PRESENT: Philip A. Crotty, Jr., Esq.,  
Town Attorney  
Patricia Razansky, Secretary

The July 19, 1976th meeting of the Zoning Board of Appeals was called to order by Chairman Theodore Jargstorff at 8 p.m.

Motion followed by Mark Stortecky, seconded by George Yorkis to accept the minutes of the June 28, 1976 meeting as written. Motion carried, all ayes.

Preliminary Meeting:

Robert Riffliard appeared before the Zoning Board of Appeals with a request to put up a 6 ft. high fence approximately 5 feet from his property line on Bull Road in the Town of New Windsor. Purpose of fence: privacy, peace of mind and protection from neighbor.

Since Section 48-14C requires that a fence over four feet in height must meet the set back for buildings, which is 20 ft. in an R3 district, public hearing was scheduled for August 16, 1976 at 8 p.m.

\* \* \* \* \*

Preliminary Meeting:

Stephen Selvaggio of 4 Stoneledge Lane, New Windsor, appeared before the Zoning Board of Appeals with a request to convert his one family residence into a two family dwelling. This use is not permitted in the residential zone (located off Willow Lane.) Mr. Selvaggio elaborated that the outside contour of the house will not be changed except to add a rear entrance.

Public hearing was scheduled for August 16, 1976 at 8:15 p.m. on this matter.

\* \* \* \* \*

Greg Shaw, representing Roma Imperial II Restaurant, appeared before the Zoning Board of Appeals with his client Mr. Gasparre Vaccaro seeking a sign variance for the restaurant located on Route 32 near the Town of New Windsor town line. This is in a P. I. zone.

Mr. Crotty informed the applicant that 60 square feet of signage is permitted in this zone.

Mr. Vaccaro is proposing a 4 by 6 pole sign, approximately 10 ft. in height. There is also an existing sign on building which adds another 40 square feet for a total of 88 square ft. of signage.

Mr. Shaw added that his client might change his proposal before the public hearing, which was scheduled for August 16, 1976 at 8:30 p.m. All plans will be presented at the time of the hearing.

\* \* \* \*

Peter B. Rosenstein appeared before the Zoning Board of Appeals on behalf of James Petro of Mt. Airy Road, New Windsor, N. Y. Mr. Rosenstein explained that he is the Executive Director of the New Windsor Industrial Development Agency and in this capacity it is his responsibility to keep industry or businesses within the town from leaving.

Mr. Rosenstein explained that Mr. Petro's business known as the Bellwood Park - Par 3 is in danger of becoming insolvent unless some sort of promotion is proposed to bring some capital into the lands of Mr. Petro. Mr. Rosenstein at this time proposed a limited engagement of concerts on the Petro property, specifically a jazz trio known as The Richman Brothers. He elaborated that there will be no noise factor since the property is a wooded area with practically no neighbors within miles. Parking would be ample for about 600 cars if needed and this type of promotion might bring some much needed culture to the Town of New Windsor.

Mr. Crotty added that in an R-1 classification, uses permitted by right: public parks and playgrounds, outdoor recreational facilities, including golf courses, etc. No mention was made regarding concerts.

Motion followed by George Yorkis, seconded by Mark Stortecky that the Zoning Board of Appeals determine that a jazz trio concert be permitted under the outdoor recreational facility category in an R-1 zone, "use permitted by right", provided that the musical activity shall not take place later than 10:30 p.m. and that this determination is subject to rescission after the initial concert in the event complaints are received from taxpayers.

ROLL CALL: Mr. Yorkis - Yes  
Mr. Stortecky - Yes  
Mrs. Budney - Yes  
Mr. Jargstorff - Yes

Motion carried - 4 ayes. Permission granted.

At this point of the meeting, Councilman Bill Lahey, a spectator in the audience, added that he has worked with Mr. Rosenstein for the past year in his capacity with the Industrial Development Agency and knows of the reputation of Mr. Rosenstein and is aware of his work with the IDA -- and also Mr. Lahey added that he knows James Petro. Mr. Lahey stressed the fact that the owner of this property is in a bind and the people of the town should pull together to help the local guy. Mr. Lahey also added that he is sure that neither Mr. Petro nor Mr. Rosenstein would do anything that would be detrimental or hurt the town in any way.

\* \* \* \* \*

PUBLIC HEARING on Application of Dixie and Leon Mehl for a use variance to operate a florist shop at the corner of Blanche Avenue and Walsh Road. Allan Kuslansky, Esq., attorney was present representing Mr. and Mrs. Mehl. Also present was Jerald Fiedelholz, Esq., John H. Sloboda, and Bonnie Jones of the Carhart Agency.

Public hearing recorded on Tape Nol2 on file in the Secretary's office.

At the conclusion of the hearing, motion followed by Mark Stortecky, seconded by Mrs. Budney to grant permission for Mr. and Mrs. Mehl to operate the florist shop and that the use variance be granted.

ROLL CALL: Mr. Yorkis - Yes  
Mr. Stortecky - Yes  
Mrs. Budney - Yes  
Mr. Jargstorff - Yes

Motion carried - all ayes. Application approved. Formal decision which will be drafted by the Town Attorney, will be available at the next meeting.

\* \* \* \* \*

Chairman Theodore Jargstorff informed the members of the ZBA that Supervisor Bill Larkin expressed a desire to set up a workshop meeting concerning property located at Nee Avenue for purposes of discussion on possible zoning changes in that area. This meeting would include the Town Board members. A meeting was then scheduled for Monday evening, July 26, 1976 at 8 p.m. in the Town Board meeting room. Secretary to send out reminders.

\* \* \* \* \*

Letter dated July 7, 1976 from Bernat Weingarten requesting an extension of time on variance which was granted to Eli Weingarten on June 23, 1975 to convert Temple Hill Motel to a residence hotel, was granted by motion of George Yorkis, seconded by Mrs. Budney and carried.

Motion then followed by George Yorkis, seconded by Mrs. Budney to approve the formal decision drafted by the attorney on the Salomatoff application. Motion carried, all ayes. Formal decision attached hereto.

Secretary informed the members of the Board that there would be only one meeting in August - August 16th being the date thereof.

Chairman Jargstorff requested that the Secretary write a letter to the Orange County Planning Federation to assure reservations for the Board members at the annual Planning Conference at Grossingers which takes place in October, 1976. X

Since there was no further business to be brought before the Board, motion followed to adjourn by Mark Stortucky, seconded by George Yorkis. Motion carried, all ayes. Meeting adjourned.

Respectfully submitted,

  
PATRICIA RAZANSKY, Secretary

ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

76-18.  
(Number)

8/2/76  
(Date)

I. Applicant information:

ROBERT L. + TRAVIS E. RIFFARD (914) 496 7295  
(a) Bull Road  
WASHINGTONVILLE, N.Y. 10992 (Mailing Address Only)  
(Name, address and phone of Applicant)

(b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)

(c) \_\_\_\_\_  
(Name, address and phone of attorney)

(d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance  
☒ Area variance  
☐ Sign variance  
☐ Special permit

III. Property information:

(a) R3 Bull Road 2.18 acres  
(Zone) (Address) Washingtonville (M B L) (Lot size)

(b) What other zones lie within 500 ft.? \_\_\_\_\_

(c) Is a pending sale or lease subject to ZBA approval of this application? no

(d) When was property purchased by present owner? July 1974

(e) Has property been subdivided previously? no When? \_\_\_\_\_

(f) Has property been subject of variance or special permit previously? no When? \_\_\_\_\_

(g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? no. If so, when \_\_\_\_\_

(h) Is there any outside storage at the property now or is any proposed? Describe in detail. \_\_\_\_\_

10-10  
(Number)

8/2/76  
(Date)

I. Applicant information:

- ROBERT L. + TRAVIS E. RIFFARD (914) 496 7295  
(a) Bull Road  
WASHINGTONVILLE, N.Y. 10992 (Mailing Address Only)  
(Name, address and phone of Applicant)  
(b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)  
(c) \_\_\_\_\_  
(Name, address and phone of attorney)  
(d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance  
☒ Area variance  
☐ Sign variance  
☐ Special permit

III. Property information:

- (a) R3 Bull Road - 2.18 acres  
(Zone) (Address) Washingtonville (M B L) (Lot size)  
(b) What other zones lie within 500 ft.? \_\_\_\_\_  
(c) Is a pending sale or lease subject to ZBA approval of this application? no  
(d) When was property purchased by present owner? July 1974  
(e) Has property been subdivided previously? no When? \_\_\_\_\_  
(f) Has property been subject of variance or special permit previously? no When? \_\_\_\_\_  
(g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? no. If so, when \_\_\_\_\_  
(h) Is there any outside storage at the property now or is any proposed? Describe in detail. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_, to allow \_\_\_\_\_

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-14C, Table \_\_\_\_\_, Column \_\_\_\_\_

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. <u>4 ft.</u>	<u>6 ft.</u>	<u>2 ft.*</u>
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

\* Residential districts only

\*\* Non-residential districts only

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-14C, Table \_\_\_\_\_, Column \_\_\_\_\_

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. <u>4 ft.</u>	<u>6 ft.</u>	<u>2 ft.*</u>
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

\* Residential districts only

\*\* Non-residential districts only

\* Section 48-14C requires that a fence over four (4) feet in height must meet the set back for buildings which is twenty (20) feet in an R3 district.

- (b) The legal standard for an "AREA" variance is practical difficulty.. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

We wish to become ignorant of our neighbor's doings that have been affecting the education of our children so that we may assume normal outdoor family affairs. I have killed my neighbor with kindness and have gone out of my way to be nice to him. He ordered me off his land. I cannot talk to him.



VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

me off his land. I cannot talk to him.



VI.

Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_



VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

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VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

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IX. Attachments required:

- ☒ Copy of letter of referral from Building and Zoning Inspector.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☐ Copy of tax map showing adjacent properties
- ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in amount of \$10.00 <sup>(residential)</sup> payable to Town of New Windsor.
- ~~Check in the amount of \$\_\_\_\_\_ payable to Secretary for taking public~~
- Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper

☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

☒ IX. Attachments required:

- ☒ Copy of letter of referral from Building and Zoning Inspector.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☐ Copy of tax map showing adjacent properties
- ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in amount of \$10.00 <sup>(residential)</sup> payable to Town of New Windsor.  
~~Check in the amount of \$\_\_\_\_\_ payable to Secretary for taking public h~~
- Photos of existing premises which show all present signs and landscaping.
- All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- ☐ Other

## 1

) SS.:

X

Sworn to before me this  
day of \_\_\_\_\_, 1975.

8 | 16 | 76.

(b) Variance is

(c) Conditions and safeguards

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A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

X  
(Applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 1975.

XI. ZBA Action:

(a) Public Hearing date 8/16/76.

(b) Variance is \_\_\_\_\_

(c) Special Permit is \_\_\_\_\_

(c) Conditions and safeguards \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY RESO-  
LUTION OF ZONING BOARD OF APPEALS.



PUBLIC NOTICE OF HEARING BEFORE

THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the  
TOWN OF NEW WINDSOR, New York will hold a public hearing pursuant  
to Section 48-33A of the Zoning Ordinance on the following  
proposition:

Appeal No. 18

Request of ROBERT L. RIFFLARD and TRACIE E. RIFFLARD

for a Variance ~~Special Use Permit~~ of the

regulations of the Zoning Local Law, to permit

installation of 6 ft. high stockade fence with insufficient  
setback

being a Variance ~~Special Use Permit~~ of

Section 48-14C

for property situated ~~on~~ on the westerly side of

Bull Road, bounded on the north by lands now or formerly

of Dean; on the west by lands of Erie-Lackawanna Railroad,

in the Town of New Windsor, New York

SAID HEARING will take place on the 16th day of August, 19 76,

at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.

beginning at 8 o'clock P. M.

THEODORE JARGSTORFF,  
Chairman



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman  
Ellsworth E Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

6

- ✓ Dean, Susan R.  
Bull Road  
Rock Tavern, New York 12575
- ✓ Rahl, Philip Estate Of  
C/O Jane Rahl Apson  
3524 McShane Way  
Baltimore Maryland 21222
- ✓ Bossley, Marshall E. & Audrey  
Bull Road  
Rock Tavern, New York 12575
- ✓ Mangold, Robert & Sylvia  
Bull Road  
Rock Tavern, New York 12575
- ✓ Szold, Helen A.  
Moffat Road  
Washingtonville, New York 10992

Respectfully submitted,

*Ellsworth E. Weyant*  
ELLSWORTH E. WEYANT  
Sole Assessor  
Town of New Windsor

AUG 13 1976

Box 237 Bull Rd

Washington, MO 64109

August 10, 1976

Dear Chairman,

This letter is in reference to Appeal number 18 by Robert and Tracie Riffard concerning the variance of zoning law section 48-14C. We, Audrey + Marshall Bossley, feel that the variance will have no ill effects on us, either personal or property. With this in mind, we have no objections what so ever to the Riffard's variance request to build a stockade fence.

Sincerely yours  
Marshall and Audrey Bossley

Aug. 6, 1974

AUG 10 1974

Theodore Jargstorff Chairman  
Zoning Board of Appeals  
Town of New Windsor  
New Windsor Town Hall  
555 Union Ave.  
New Windsor, N.Y. 12550

Dear Chairman Jargstorff,

As a neighbor of close proximity to The Ruffard property, both my wife and I wish to state we have no opposition to the installation of the 6 foot fence even though it violates a zoning ordinance.

Sincerely

Robert Mangold  
*Sylvia Mangold*

Bull Rd.  
Washingtonville  
New York 10992

Mrs. Anna Rahl

M. D. #1, Bull Road Washingtonville, New York 10992

THEODORE JARGSTOFF, Chairman  
ZONING BOARD OF APPEALS  
New Windsor Town Hall  
New Windsor 12550 NY

AUG 10 1976

Dear Mr. Jargstoff,

Concerning Robert Riffhard's  
request for a Variance of the regulations  
of the zoning local law Section 48-14C

I approve the installation of  
the 6 foot high stockade fence.

Very truly yours

Anna Rahl

for  
the State of New York

④ ⑤ Agenda - 7/19/76.



1763

OFFICE OF THE BUILDING & ZONING INSPECTOR

TOWN OF NEW WINDSOR

Howard R. Collett  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

July 14, 1976

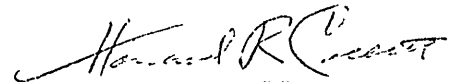
Mr. Robert Riffard  
Rock Tavern  
N. Y.  
12575

Dear Mr. Riffard,

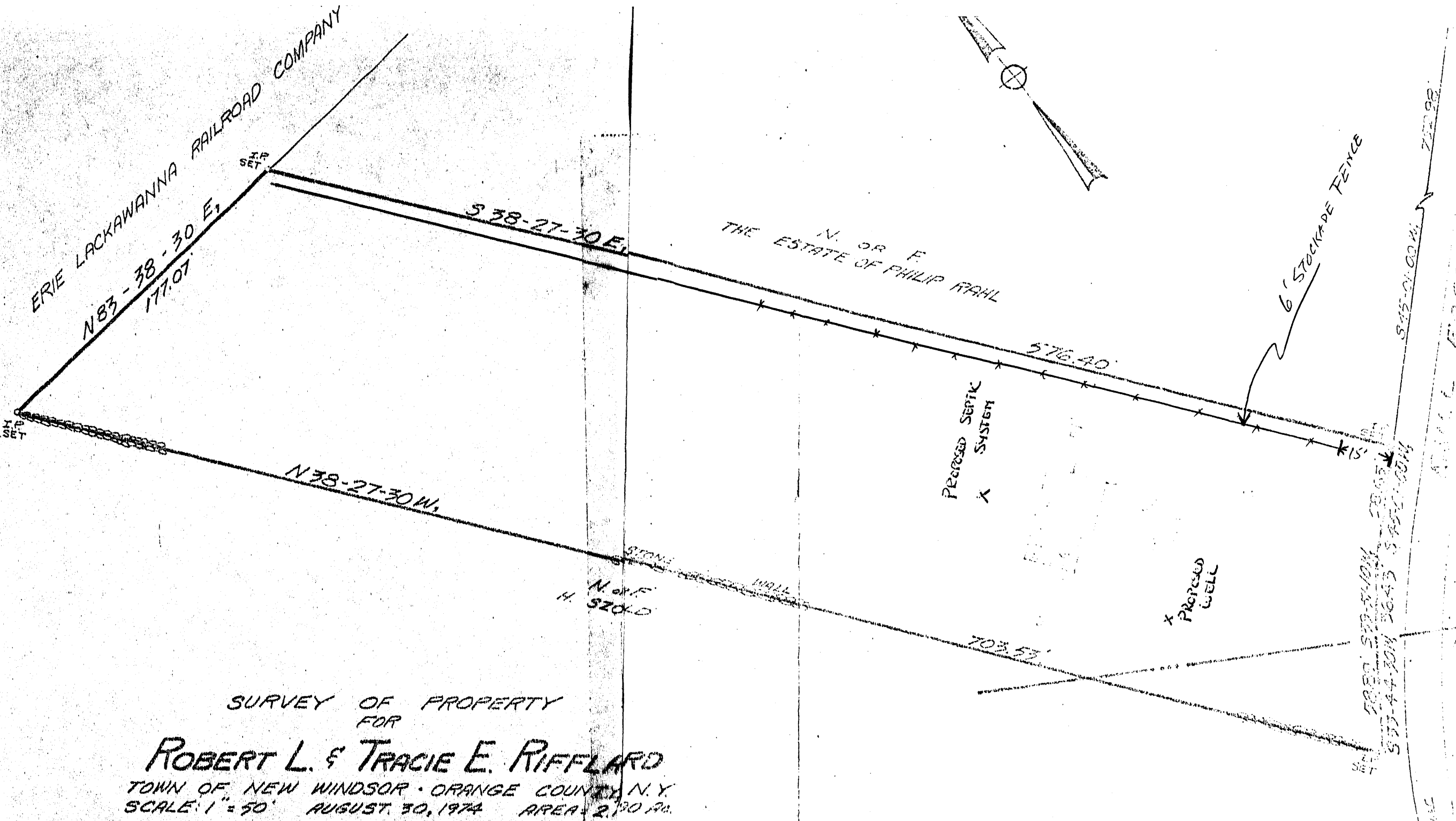
Your application dated July 14, 1976 to erect a six (6) foot stockade fence five (5) feet from the northerly boundary of your property is denied.

Section 48-14C requires that a fence over four (4) feet in height must meet the set back for buildings which is twenty feet in a R3 district.

Yours truly,

  
Howard R. Collett  
Bldg./Zoning Inspector

HRC/mfb



SURVEY OF PROPERTY  
FOR  
**ROBERT L. & TRACIE E. RIFFLARD**  
TOWN OF NEW WINDSOR - ORANGE COUNTY, N.Y.  
SCALE: 1" = 50' AUGUST 30, 1974 AREA: 2.90 AC.

CERTIFIED TO:

WALDEN SAVINGS BANK AND  
LAWYERS TITLE INSURANCE CO  
TO BE CORRECT AND ACCURATE

OR-7492

WILLIAM B. S.  
PROFESSIONAL  
GOSHEN, N.Y.